

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2456 OF 2003
IN
SUIT NO.2448 OF 2002

C.R.Ashok Kumar & Anr.	Plaintiffs
V/s.	
Ramesh P. Poojari & Ors.	Defendants
And	
The Bharat Co-op.Bank (Mumbai) Ltd.	Respondent
And	
Charkop Shree Lakshami Co-operative Housing Society Ltd.	Applicant

Ms.N. Moily i/b Mr.D.S. Sakhalkar for the Plaintiffs.
Mr.A.V. Chatuphule for the Applicant.
Mr.K.V. Tambe for the Applicant in Notice of Motion
No.1145 of 2003.

CORAM : S.J. VAZIFDAR, J.
DATED : 17TH NOVEMBER, 2005.

P.C. :

1. In this dispute between the Plaintiffs and the Defendants in respect of the suit property, the Applicant - Society in which the properties are situated, has taken out the Motion for payment of the societies dues.

2. There is a dispute as to whether any amounts are due and payable by the Society. It is not necessary for me to adjudicate the same in these

proceedings. The Society must adopt appropriate proceedings for recovery of its dues in accordance with law. It is clarified that the present proceedings and the orders passed therein do not prevent the Society from taking steps in accordance with law for recovery of its dues.

3. The Notice of Motion is accordingly disposed of.